

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v.-

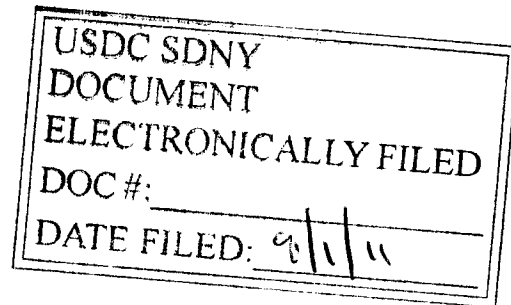
IRFAN KHAN,
a/k/a "Ifraan Khan,"
a/k/a "Superman,"
a/k/a "Super,"
ZESHAN MIAN,
ALI REZA KANUGA,
a/k/a "AK,"
a/k/a "AK Kan,"
UJVAL JETHWA,
a/k/a "Vipul Jethwa,"
a/k/a "Vips,"
MICHAELA JO BERNEY,
a/k/a "Michaela Bennett,"
ASIF KHAN,
a/k/a "DirtySouth,"
a/k/a "Dirty,"
FASSEL AZIM,
MOHAMMAD SHABAZ KHAWAR,
ABDUL QAYUM DURRANI, and
DAVID ASHLEY SMITH,

Defendants.

- - - - - x

SEALED
INDICTMENT

S1 10 Cr. 1082



COUNT ONE

(Conspiracy to Commit Bank and Wire Fraud)

The Grand Jury charges:

1. From at least in or about 2008 through in or about at least April 2011, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR,

ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses under Title 18, United States Code, Sections 1344 and 1343.

2. It was a part and an object of the conspiracy that IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

3. It was further a part and an object of the conspiracy that IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA

JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, willfully and knowingly, would and did transmit and cause to be transmitted by means of wire, radio and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about January 24, 2010, JETHWA, KANUGA, BERNEY, and others known and unknown, entered a "Vero Moda" store in Amsterdam, the Netherlands, and stole one of the store's access device readers.

b. On or about January 24, 2010, in Amsterdam, the Netherlands, IRFAN KHAN, MIAN, and others known and unknown, altered the "Vero Moda" access device reader by, among other things, installing in it a Groupe Spécial Mobile ("GSM") module.

c. On or about January 25, 2010, JETHWA, KANUGA, BERNEY, and others known and unknown, entered the same "Vero Moda" store and replaced the access device reader, which had been altered by, among other things, the installation in it of a GSM module.

d. On or about March 6, 2010, JETHWA, ASIF KHAN, and others known and unknown, withdrew cash from accounts that were not their own at a Citibank located at 640 Fifth Avenue in New York, New York, using fraudulently-obtained access devices, including access devices obtained from the altered "Vero Moda" access device reader described above.

e. On or about April 5, 2011, AZIM, KHAWAR, DURRANI, and SMITH, traveled from the United Kingdom to the Netherlands with, among other things, (i) a laptop computer containing, among other things, stolen access devices and information about access device readers, (ii) materials to alter access device readers, including, among other things, three GSM modules and various tools, including a soldering iron, voltmeter, and glue gun.

f. In or about April 2011, AZIM, KHAWAR, DURRANI, and SMITH, entered a store in or around Utrecht, the Netherlands, and attempted to steal one of the store's electronic access device readers and replace it with a non-functional dummy.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Bank Fraud)

The Grand Jury further charges:

5. From at least in or about March 2010 through in or about August 2010, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifran Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," and ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," the defendants, and others known and unknown, willfully and knowingly did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution by means of false and fraudulent pretenses, representations, and promises, to wit, JETHWA, ASIF KHAN, and others known and unknown, withdrew cash from accounts that were not their own at Citibank branches in New York, New York, using fraudulently-obtained access devices that IRFAN KHAN, MIAN, KANUGA, JETHWA, BERNEY, and others known and unknown, had stolen and transmitted to them.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT THREE

(Wire Fraud)

The Grand Jury further charges:

6. From at least in or about March 2010 through in or about August 2010, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifran Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," and ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, willfully, and knowingly did transmit and cause to be transmitted by means of wire, radio and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, IRFAN KHAN, MIAN, KANUGA, JETHWA, BERNEY, and others known and unknown, stole and transmitted via electronic mail, text message, and telephone to JETHWA, ASIF KHAN, and others known and unknown, fraudulently-obtained access devices that JETHWA, ASIF KHAN, and others known and unknown, used to withdraw cash from accounts that were not their own at banks throughout New York, New York.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FOUR

(Conspiracy to Commit Access Device Fraud)

The Grand Jury further charges:

7. From at least in or about 2008 through at least in or about April 2011, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifran Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses under Title 18, United States Code, Section 1029(a).

8. It was a part and an object of the conspiracy that IRFAN KHAN, a/k/a "Ifran Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, would and did possess fifteen and more devices which

were counterfeit and unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3).

9. It was further a part and an object of the conspiracy that IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, would and did produce, traffic in, have control and custody of, and possess device-making equipment, in violation of Title 18, United States Code, Section 1029(a)(4).

10. It was further a part and an object of the conspiracy that IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, would and did effect transactions, with one and more access devices issued to another person and persons, to receive

payment and other things of value during a one-year period the aggregate value of which was equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

Overt Acts

11. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about January 24, 2010, JETHWA, KANUGA, BERNEY, and others known and unknown, entered a "Vero Moda" store in Amsterdam, the Netherlands, and stole one of the store's access device readers.

b. On or about January 24, 2010, in Amsterdam, the Netherlands, IRFAN KHAN, MIAN, and others known and unknown, altered the "Vero Moda" access device reader by, among other things, installing in it a Groupe Spécial Mobile ("GSM") module.

c. On or about January 25, 2010, JETHWA, KANUGA, BERNEY, and others known and unknown, entered the same "Vero Moda" store and replaced the access device reader, which had been altered by, among other things, the installation in it of a GSM module.

d. On or about March 6, 2010, JETHWA, ASIF KHAN, and others known and unknown, withdrew cash from accounts that were not their own at a Citibank located at 640 Fifth Avenue in New York, New York, using fraudulently-obtained access devices,

including access devices obtained from the altered "Vero Moda" access device reader described above.

e. On or about April 5, 2011, AZIM, KHAWAR, DURRANI, and SMITH, traveled from the United Kingdom to the Netherlands with, among other things, (i) a laptop computer containing, among other things, stolen access devices and information about access device readers, (ii) materials to alter access device readers, including, among other things, three GSM modules and various tools, including a soldering iron, voltmeter, and glue gun.

f. In or about April 2011, AZIM, KHAWAR, DURRANI, and SMITH, entered a store in or around Utrecht, the Netherlands, and attempted to steal one of the store's electronic access device readers and replace it with a non-functional dummy.

(Title 18, United States Code, Section 1029(b)(2).)

COUNT FIVE

(Access Device Fraud --
Fifteen and More Counterfeit and Unauthorized Access Devices)

The Grand Jury further charges:

12. From at least in or about March 2010 through in or about August 2010, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifran Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," and ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," the defendants, and others

known and unknown, willfully and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, did possess fifteen and more devices which were counterfeit and unauthorized access devices, to wit, JETHWA, ASIF KHAN, and others known and unknown, possessed fifteen and more access devices, which they obtained with intent to defraud, and which IRFAN KHAN, MIAN, KANUGA, JETHWA, BERNEY, and others known and unknown, had stolen and transmitted to them.

(Title 18, United States Code, Sections 1029(a)(3) and 2.)

COUNT SIX

(Access Device Fraud --
Device-Making Equipment)

The Grand Jury further charges:

13. From at least in or about March 2010 through in or about August 2010, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," and ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," the defendants, and others known and unknown, willfully and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, did produce, traffic in, have control and custody of, and possess device-making equipment, to wit, JETHWA, ASIF KHAN, and others known and unknown, had control and custody of, and possessed,

equipment to make counterfeit access devices using fraudulently-obtained access devices.

(Title 18, United States Code, Sections 1029(a)(4) and 2.)

COUNT SEVEN

(Access Device Fraud --
Access Devices Issued to Another Person and Persons)

The Grand Jury further charges:

14. From at least in or about March 2010 through in or about August 2010, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," and ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," the defendants, and others known and unknown, willfully and knowingly, and with intent to defraud, in an offense affecting interstate and foreign commerce, did effect transactions, with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period the aggregate value of which was equal to and greater than \$1,000, to wit, JETHWA, ASIF KHAN, and others known and unknown, withdrew more than \$1,000 in cash from accounts that were not their own at Citibank branches in New York, New York, using fraudulently-obtained access devices

that IRFAN KHAN, MIAN, KANUGA, JETHWA, BERNEY, and others known and unknown, had stolen and transmitted to them.

(Title 18, United States Code, Sections 1029(a)(5) and 2.)

COUNT EIGHT

(Conspiracy to Commit International Money Laundering)

The Grand Jury further charges:

15. From in or about March 2010 through at least in or about April 2011, in the Southern District of New York, and elsewhere, IRFAN KHAN, a/k/a "Ifan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses under Title 18, United States Code, Sections 1956(a)(2)(B).

16. It was a part and an object of the conspiracy that IRFAN KHAN, a/k/a "Ifan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM

DURRANI, and DAVID ASHLEY SMITH, the defendants, and others known and unknown, in an offense involving and affecting interstate commerce, would and did transport, transmit, and transfer, and attempt to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to and through a place outside the United States, knowing that the monetary instrument and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity, to wit, bank fraud, wire fraud, and access device fraud, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, and to avoid a transaction reporting requirement under State and Federal Law, in violation of Title 18, United States Code, Section 1956(a)(2)(B).

Overt Acts

17. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about March 10, 2010, while in New York, New York, ASIF KHAN spoke to JETHWA, and others known and unknown, about moving money, which had been obtained from other people's

bank accounts using fraudulently-obtained access devices, outside the United States through the use of an informal money exchange system.

b. On or about March 12, 2010, JETHWA, and others known and unknown, traveled from New York, New York, to Toronto, Canada, carrying cash that been obtained from other people's bank accounts using fraudulently-obtained access devices.

c. On or about March 12, 2010, in New York, New York, a co-conspirator received approximately \$9,000 that been obtained from other people's bank accounts using fraudulently-obtained access devices, and transferred it in a series of smaller transactions via Western Union to JETHWA in the United Kingdom, using another person's name as the recipient.

(Title 18, United States Code,
Sections 1956(a)(2)(B)(i), (f), and (h).)

COUNT NINE

(Aggravated identity theft)

The Grand Jury further charges:

18. From at least in or about March 2010 through at least in or about April 2011, in the Southern District of New York and elsewhere, IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR,

ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, willingly and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to the felony violations charged in Counts One through Five and Seven of this Indictment, to wit, IRFAN KHAN, MIAN, KANUGA, JETHWA, BERNEY, ASIF KHAN, AZIM, KHAWAR, DURRANI, and SMITH possessed, used, and transferred without lawful authority account numbers and associated personal identification numbers of other people to fraudulently withdraw money from those people's bank accounts.

(Title 18, United States Code,
Sections 1028A(a)(1), 1028A(b), and 2.)

FORFEITURE ALLEGATION

(As to Counts One through Seven)

19. As a result of committing one or more of the bank fraud, wire fraud, and access device fraud offenses alleged in Counts One through Seven of this Indictment, IRFAN KHAN, a/k/a "Ifan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2), all property, real and personal, that constitutes or is derived from proceeds traceable

to the commission of said offense(s).

Substitute Assets Provision

20. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

(Title 18, United States Code, Sections 982, 1344, 1349, 1029.)

FORFEITURE ALLEGATION

(As to Count Eight)

21. As a result of committing the money laundering offense in violation of Title 18, United States Code, Section 1956, alleged in Count Eight of this Indictment, IRFAN KHAN, a/k/a "Ifraan Khan," a/k/a "Superman," a/k/a "Super," ZESHAN MIAN, ALI REZA KANUGA, a/k/a "AK," a/k/a "AK Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa," a/k/a "Vips," MICHAELA JO BERNEY, a/k/a "Michaela Bennett," ASIF KHAN, a/k/a "DirtySouth," a/k/a "Dirty," FASSEL

AZIM, MOHAMMAD SHABAZ KHAWAR, ABDUL QAYUM DURRANI, and DAVID ASHLEY SMITH, the defendants, shall forfeit to the United States pursuant to Title 18, United States Code, Section 982, all property, real and personal, involved in the money laundering offense and all property traceable to such property.

22. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982 and 1956.)


FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

IRFAN KHAN, a/k/a "Ifiran Khan," a/k/a
"Superman," a/k/a "Super," ZESHAN MIAN,
ALI REZA KANUGA, a/k/a "AK," a/k/a "AK
Kan," UJVAL JETHWA, a/k/a "Vipul Jethwa,"
a/k/a "Vips," MICHAELA JO BERNEY,
a/k/a "Michaela Bennett," ASIF KHAN,
a/k/a "DirtySouth," a/k/a "Dirty,"
FASSEL AZIM, MOHAMMAD SHABAZ KHAWAR,
ABDUL QAYUM DURRANI, and DAVID ASHLEY
SMITH

Defendants.

INDICTMENT

S1 10 Cr. 1082

18 U.S.C. §§ 1349, 1343, 1344,
1029(b)(2), 1029(a)(3), 1029(a)(4),
1029(a)(5), 1956(h), 1956(a)(2)(B),
1028A, and 2.

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.
